

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JUN 02 2010

JOHN F. COHCOHAN, CLERK  
BY:   
DEPUTY CLERK

UNITED STATES OF AMERICA,

v.

MISSY SMITH,

Defendant.

)  
)  
Case No. 7:05CR00028-017  
(Case No. 7:09CV80202)  
)  
FINAL JUDGMENT AND ORDER  
)  
By: Glen E. Conrad  
United States District Judge  
)

For the reasons stated in the memorandum opinion entered this day, it is

**ADJUDGED AND ORDERED**

that the motion to dismiss is hereby **GRANTED**, and the motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED** and stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this judgment and order to the defendant and to counsel of record for the government.

ENTER: This 20 day of June, 2010

  
\_\_\_\_\_  
United States District Judge